Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV—2C (ii)

BANGALORE, TUESDAY, SEPT. 28, 1965
(ASVIJA 6, SAKA ERA 1887). | No. 174

Food Secretariat

ORDER.

Bangalore, dated 28th September 1965

S.O. 3187. In exercise of the powers conferred by sub-rules (2) and (3) of rule 125 of the Defence of India Rules, 1962, and of all other powers hereunto enabling, and with the prior concurrence of the Central Government, the Government of Mysore hereby makes the following Order, namely :—

1. *Title, extent and commencement.*—(1) This Order may be called the Mysore Paddy Procurement (Levy) Order, 1965.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force on the 29th September 1965.

2. *Definitions.*—In this Order, unless the context otherwise requires,—

(*a*) "Chavadi" shall have the same meaning as in the Mysore Land Revenue Act, 1964 ;

(*b*) "Enforcement Officer" means (i) the Director of Food Supplies in Mysore, for the whole of the State of Mysore; (ii) the Deputy Commissioner, the Assistant Commissioner and the Tahsildar, within their respective jurisdiction; (iii) an officer not below the rank of a Revenue Inspector appointed by order of the Deputy Commissioner of the District as Enforcement Officer within such area as the Deputy Commissioner may specify in such order;

(*c*) "Grower" means every person who raises paddy on land in his possession which he holds as landholder, tenant, mortgagee with possession or in any other capacity, or in more than one such capacity;

(*d*) "Holding" means the land or lands held by a grower;

(*e*) "Purchase Officer" means the Director of Food Supplies in Mysore, for the whole of the State of Mysore, and the Deputy Commissioner, the Assistant Commissioner and the Tahsildar within their respective jurisdiction;

(*f*) "Purchase Price" in relation to any variety of paddy means the price fixed for the purchase of such variety of paddy by the Mysore Foodgrains (Fixation of Purchase Prices) Order, 1965;

(*g*) "Schedule" means a Schedule appended to this Order.

3. *Levy on paddy.*—(1) Every grower shall, out of the paddy grown on his holding and held by him in stock in respect of each crop sell to the Purchase Officer, at the purchase price, such quantity of paddy determined in accordance with the scale specified in Schedule I, or Schedule II, as the case may be.

(2) The paddy required to be sold under sub-clause (1) shall be delivered by the grower to the Purchase Officer or such other person as may be authorised in this behalf by the Purchase Officer, at the Chavadi or at such place as may be notified by the Tahsildar.

Explanation.—For the purposes of this clause, paddy in the possession or control of the grower immediately after it is harvested shall be deemed to be paddy held in stock by the grower.

4. *Liability of tenant for payment of rent in cash in lieu of rent in kind.*—(1) Where a grower who is a tenant liable to pay rent in kind to the landlord sells paddy to the Purchase Officer under Clause 3, the rent payable by him, shall as far as possible, be partly in cash and partly in kind, the amount payable in cash and kind being determined in accordance with provisions of sub-clause (2).

(2) (*a*) The part of the rent payable in cash under sub-clause (1) from out of the amount of purchase price received by the grower shall be in the same proportion as the rent payable in kind by such tenant to the landlord bears to the total quantity of paddy grown on the land.

(*b*) The part of rent payable in kind under sub-clause (1) shall be the quantity of paddy payable as rent after deducting the quantity in respect of which the rent is payable in cash under paragraph (*a*).

Illustration.—*A*, a grower holds eight acres of land commanded by an Irrigation Project specified in Schedule I, leased to him by his Landlord *B*. *A* grows 80 quintals of paddy on the land, of which he is liable to pay as rent to *B*, 20 quintals. *A* sells 20 quintals to the Purchase Officer under Clause 3 of this Order. As the rent payable is one-fourth of the quantity grown, *A* will be liable to pay as cash rent, one-fourth of the purchase price received by him, and as rent in kind, 15 quintals of paddy.

5. *Grant of Certificate.*—The Purchase Officer after purchasing the stock of paddy from the grower under Clause 3, shall grant a certificate specifying the quantity of paddy so purchased and the quantity of paddy remaining with the grower.

6. *Powers of entry, search, seizure, etc.*—Any Enforcement Officer, may, within the limits of his jurisdiction with a view to securing compliance with this order or to satisfy himself that this Order has been complied with,—

(*a*) enter, inspect or search any premises, place, vehicle or vessel in which he has reason to believe that a contravention of this Order has been, is being, or is about or likely, to be committed ;

(*b*) enter into, search or inspect any vehicle or vessel or other conveyance used or intended to be used for the movement of foodgrains ;

(*c*) seize the stock of foodgrains in respect of which the Officer has reason to believe that a contravention of this order has been, or is being, or is about or likely, to be committed along with the packages, coverings, or receptacles in which such foodgrains are found, or vehicles, vessels or other conveyances used in carrying such foodgrains and thereafter take action in accordance with sub-rule (7) of rule 125 of the Defence of India Rules, 1962.

7. *Repeal and Savings.*—The Mysore Paddy and Rice Procurement (Levy) Order, 1965 is hereby repealed :—

Provided that such repeal shall not—

(*a*) affect the previous operation of the said Order or anything duly done or suffered thereunder ; or

(*b*) affect any right, privilege, obligation or liability acquired, accrued or incurred under the said order ; or

(*c*) affect any penalty, forfeiture or punishment incurred in respect of any contravention of the said order ; or

(*d*) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ; and any such investigation, legal proceeding, or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the said order had not been repealed.

SCHEDULE I

[*See* Clause 3 (1)]

Scales for sale of paddy grown on lands commanded by irrigation projects.

SCALE

(1) In respect of the first acre of the holding of the grower.	Nil
(2) In respect of every acre of the next four acres of the holding of the grower.	2 quintals per acre
(3) In respect of every acre of the next five acres of the holding of the grower.	4 quintals per acre
(4) In respect of every acre of the remaining acres of the holding of the grower.	6 quintals per acre

Explanation.—In this Schedule 'Irrigation Projects' means the following Projects, namely :—

1. Marconahalli Project
2. Anjanapur Reservoir
3. Tunga Anicut
4. Nugu Reservoir
5. T.B. Project (including Vijayanagar Channel)
6. Ghataprabha Left Bank Channel
7. Vanivilas Sagar
8. Bhadra Reservoir
9. Dharma Project
10. K.R. Nagar (including Cauvery Channel)
11. Kanva Reservoir
12. Hemavathi Channels
13. Lakshmanthirtha Channels

SCHEDULE II

[*See* Clause 3 (1)]

Scales for sale of paddy grown on lands, other than lands commanded by irrigation projects specified in Schedule I.

(1) In respect of the first acre of the holding of the grower.	Nil
(2) In respect of every acre of the next four acres of the holding of the grower.	1 quintal per acre
(3) In respect of every acre of the next five acres of the holding of the grower.	2 quintals per acre
(4) In respect of every acre of the remaining acres of the holding of the grower.	3 quintals per acre

[No. RD 409 FFP 65]

By Order and in the name of the Governor of Mysore,

N. NARASIMHA RAU,

Secretary to Government,
Food Department.

Printed by the Director of Printing, Sty. & Publications at the Govt Press, Bl'lore.